

UNITED STATES DISTRICT COURT

Western District of Washington

Kimsey et.al. vs. City of Sammamish et.al.

Case No. 2:21-cv-01264-MJP

Declaration of Celia Wu

I, Celia Wu, declare as follows:

1. I declare that Ms. Kate Langsford and Ms. Sarah Hawes Kimsey made false claims in their court filings in Case 2:21-cv-01264-MJP. This declaration serves to notify Ms. Kimsey, Ms. Langsford, and the City of Sammamish that I am creating an official record of their false claims and defamatory actions against me in this case's court records.
2. Ms. Langsford, in a Complaint for Damages filed with the Superior Court of the State of Washington on October 21, 2021, and again in a Declaration to the U.S. Western District Court on November 5, 2021, falsely claimed that I deleted Ms. Sarah Hawes Kimsey's comments on the City of Sammamish's Facebook page.
3. On August 26, 2024, I sent Ms. Langsford a request for retraction (attached).
4. Ms. Kimsey, in a sworn declaration made on November 5, 2021, to the U.S. Western District Court, falsely claimed that I violated her First Amendment rights by deleting comments she made on the City of Sammamish's Facebook page.
5. On September 18, 2023, my attorney sent a Request for Retraction, Correction, and Clarification of Defamatory Statements to Ms. Kimsey (attached).
6. The evidence in the court documents makes clear that I did not delete, nor hide, Ms. Kimsey's comments, and there was no Court decision or finding that I deleted or hid Ms. Kimsey's comments.
7. An affidavit from the COO of Archive Social verified that the comments Ms. Langsford and Ms. Kimsey falsely claimed I deleted were still visible on the City of Sammamish's Facebook page. He further clarified that "once a comment is deleted on Facebook, it is also deleted from their servers and backup systems so that it cannot be retrieved" (attached).

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on October 11, 2024, at Sammamish, Washington.



Celia Wu

Celia Wu

Sammamish, WA 98074

Email: celiachongwu@gmail.com

August 26, 2024

Katherine Langsdorf

Email: kate.langsdorf@bothellwa.gov and via Certified Mail

Dear Ms. Langsdorf,

Re: False Statements Submitted in Complaint for Damages

I am writing to address a grave matter concerning false statements you made in a court document you filed with the Superior Court of the State of Washington on October 21, 2021.

Specifically, you falsely claimed multiple times that I deleted Ms. Sarah Hawes Kimsey's comments on the City of Sammamish's Facebook page. I have evidence, in the form of a Declaration from Robert Sydnor, the COO of ArchiveSocial, executed on October 27, 2021, confirming that Ms. Kimsey's comments were never deleted and remain accessible to the public on the City of Sammamish's Facebook page.

As you are undoubtedly aware, submitting false statements in a court document constitutes perjury under Washington State law (RCW 9A.72.020). Perjury is a serious criminal offense, punishable by law, as it undermines the integrity of the judicial system. The statute of limitations for perjury in Washington State is three years, which means that this matter remains well within the time frame for legal action to be taken against you.

Your knowingly false statements have not only caused harm to my reputation but have also misled the court. Such actions are unacceptable and warrant immediate correction.

I hereby demand that you formally retract these false statements in writing and submit a corrected document to the court where the original false claims were made. Additionally, I request that you provide a copy of the retraction to me and supply the retraction to any news outlets that covered this matter, including the *Sammamish Independent*. You must do so within 14 days from the date of this letter. If you fail to comply, I will be left with no choice but to pursue all available legal remedies, including but not limited to filing a criminal complaint for perjury and a civil lawsuit for defamation.

Please take this matter seriously and consider the potential legal consequences of your actions. I strongly urge you to rectify this situation promptly to avoid further escalation.

Sincerely,


Celia Wu

LAW OFFICES OF
MANN AND KYTLE, PLLC
1425 WESTERN AVE SUITE 104
HILLCLIMB COURT
SEATTLE, WASHINGTON 98101
WWW.MANNKYTLE.COM

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ADMITTED IN
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jkytle@mannkyle.com

WE LISTEN

PHONE (206) 587-2700

MARY RUTH MANN, ATTORNEY

ADMITTED IN
STATE AND FEDERAL COURTS
mrman@mannkyle.com

September 18, 2023

VIA Email

Sarah Hawes Kimsey
sarahkimsey@hotmail.com

**RE: Celia Wu - Request for Retraction, Correction and Clarification of
Defamatory Statements Under RCW 7.96.040**

Ms. Kimsey:

We are writing this Request for Retraction and/or Correction and/or Clarification to you and anyone who participated in the publication of information described herein. It contains a Request for Retraction, Correction and Clarification and is served on you on behalf of Celia Wu, about whom you have made oral and written statements which are alleged to be defamatory and had defamatory meaning about Ms. Wu. At the time of the initial defamation identified herein, Ms. Wu was a Communications Manager, for the City of Sammamish.

We have information that the content of your statements has been false and/or carried false meaning, and that the statements have harmed Celia Wu including but not limited to damage to her reputation, and employment but also causing her humiliation, suffering, embarrassment, loss of enjoyment of life, and great emotional distress. Your actions and defamatory statements are also alleged to have violated other statutes and caused her symptoms of severe anxiety, pain and suffering; have caused her economic loss and have caused her to incur attorney fees and other costs.

On information and belief we have a concern that your defamatory statements were intended to do her economic harm and to tortiously interfere with her employment and contractual expectations; and that a substantial factor in such intent was that the Communications team was made up of two highly qualified women of color, whom you

publicly misrepresented as “woefully unqualified,” (See Exhibit 12) and represented as having “Trumpian Politics.” You further continually denigrated and attacked Ms. Wu publicly on social media, including the purchase of Facebook ads to spread falsehoods about Ms. Wu (*Exhibits 4, 5, 6, 9, 10, 11, 16*). You falsely represented that she had deleted your public comments on the City of Sammamish’s Facebook page, which false comments, taken together, would damage her and hold her up to derision across the State of Washington.

We set forth here the oral and written statements attributed to you which you must immediately retract and/ or correct in the same media made¹, including but not limited to social media, blogs, and publications, or be subject to the consequences of RCW 7.96.010 et. seq. for Failure to Correct Defamation.

a) Ms. Wu contends that you made the following statements, and specifies with particularity the statements alleged to be false and defamatory or otherwise actionable and, to the extent known, the time and place of publication, and the meaning, and that you communicated them to others who repeated them further:

1. Claimed orally and in writing that you “won” a lawsuit, claiming that you prevailed regarding Ms. Wu having deleted your First Amendment Emails which Ms. Kimsey had posted, when in fact the Court found that 56 of 59 emails which were claimed to be deleted were in fact still visible on the City of Sammamish’s Facebook page; (*Exhibits 1, 2, 7 and 8*)
2. Claiming on March 27, 2022 on the open and public Facebook group, Sammamish Central, “Ms. Wu should be fired (Exhibit 2) when Ms. Kimsey knew that the comments were still visible on the Facebook page operated by the City.
3. On January 3, 2021, posted on a Democratic Facebook group defaming Ms. Wu that she should not be in leadership of a local democratic party organization, falsely accusing Ms. Wu of violating First Amendment rights.
4. On May 18, 2022, the Sammamish Independent quotes Ms. Kimsey’s calling for Ms. Wu’s firing : “*In a March 27 Facebook comment thread, Kimsey called for city communications manager Celia Wu to be fired, a sentiment that Amies also agreed with.*” (*Exhibit 18*)

b) The further evidence of the defamation and statements and knowledge are as follows:

1. Sarah Hawes Kimsey in a declaration *Exhibit 19* alleges that her comments on the City of Sammamish’s Facebook page were deleted. City Defense Attorney

¹ Including but not limited to the following publications where the comments were made or repeated or referenced: The Sammamish Independent. The Sammamish Comment, I Love Sammamish, The Seattle Times, Facebook pages and groups, Sammamish Central, Sammamish Progressives, City of Sammamish page, 45th District Democrats, Twitter / X

Jessica Goldman's declaration includes an email to Kimsey's attorney that the comments referenced in the complaint are visible to her. Hence, Ms. Kimsey and her attorneys knew her comments were not deleted. ***Exhibit 20.***

2. Celia Wu's declaration (***Exhibit 21***) and accompanying exhibits (***Exhibit 22***) hereto confirm that Ms. Kimsey's comments were not deleted and supply screenshots of her comments still visible on the City's Facebook page.
3. Ms. Kimsey in a sworn privileged declaration on November 5, 2021 date continued to adhere to the defamation despite knowledge that the comments were not deleted and still visible on the City's Facebook page. (***Exhibit 23***)
4. The Court Order (***Exhibit 1***) confirms that Ms. Kimsey's allegations that her comments were deleted were false and that her comments were still visible. The Court found 56 of 59 comments alleged to have been deleted from the City of Sammamish's Facebook Page by Ms. Wu were never in fact deleted and were still visible on the City of Sammamish's Facebook page. Kimsey continued to contend her comments had been deleted by Ms. Wu and that she had WON the lawsuit and that Ms. Wu should be fired.

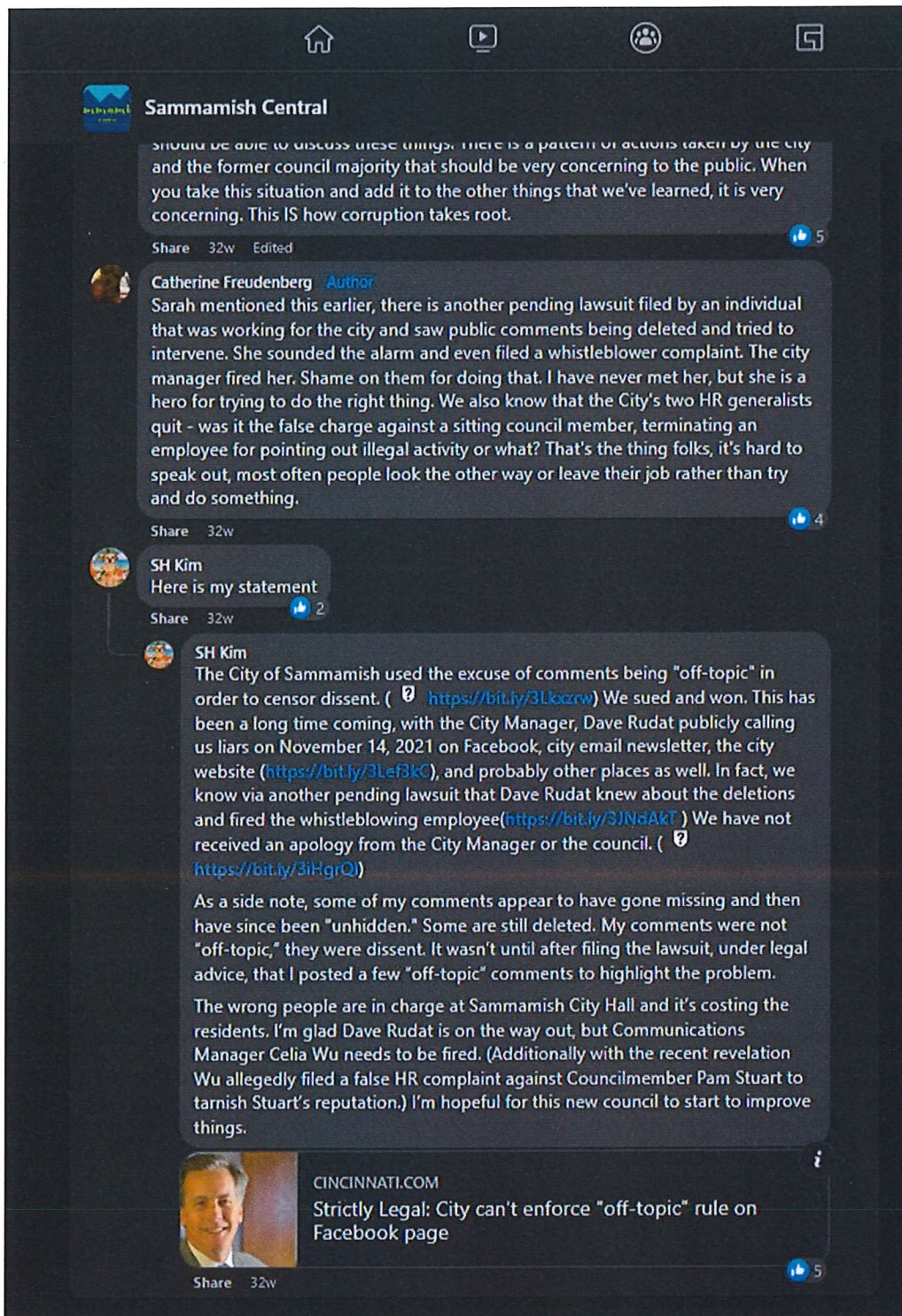
c) The defamatory statements have resulted in the following harmful circumstances to Ms. Wu and her colleague, stemming from the defamatory meaning of Ms. Kimsey's comments:

1. A hostile work environment, as some councilmembers and the interim city manager "weaponized" these falsehoods to isolate and denigrate Ms. Wu. These falsehoods threatened Ms. Wu's ability to serve the community in her public service role.
2. Harm to Ms. Wu's reputation, affecting her employment and personal opportunities. As a journalist, and a citizen and active volunteer in King County being falsely accused of infringing upon First Amendment rights is extremely harmful to her reputation as a professional and citizen advocate.
3. Kimsey's campaign to get Celia Wu "fired" based on these allegations, caused further harm to Wu's reputation and ability to sustain her employment and to find new employment.
4. A former mayor, Don Gerend, posted on Facebook group two comments (that we are aware of) endangering Ms. Wu's employment. (***Exhibits 3, 3a***)
5. Tom Odell, who was a Councilmember at this time, weaponized the false allegations about Ms. Wu supposedly improperly deleting comments, in two emails to an attorney investigating the previous City Manager. (***Exhibits 13, 14***)
6. The other two co-plaintiffs in the Kimsey lawsuit also disparaged Ms. Wu, "tagging" Democratic party senior leadership and King County Councilmembers. (***Exhibit 3***)

7. Ms. Kimsey has “blocked” Ms. Wu from social media posts, so Ms. Wu would be unaware and cannot see or defend herself from past and future defamation by Ms. Kimsey.
 8. Contrary to Ms. Kimsey’s allegations, Ms. Wu is Asian Latina American with nearly four decades working in the media industry and holds a masters in journalism. Fowler is African American with three decades of an award-winning writing and communications experience.
 9. Ms. Kimsey’s comments directed at the Communications team at the City of Sammamish harassed and defamed two women of color public servants.
 10. Many of these comments were made on the City of Sammamish’s official and public Facebook page, defaming and harassing the two women of color at the height of anti-Asian hate and during a precarious climate for people of color.
- (d) Ms. Wu States that the alleged defamatory meanings of the statements are false.
11. City Defense Attorney Jessica Goldman’s declaration (*Exhibit 20*) includes an email to Ms. Kimsey’s attorney that the comments referenced in the complaint are visible to her. Hence, Ms. Kimsey and her attorneys knew her comments were not deleted.
 12. Celia Wu’s declaration (*Exhibit 21*) and accompanying exhibits confirm Kimsey’s comments were not deleted and supply screenshots of her comments still visible on the City’s Facebook page.
 13. The Kimsey allegations and comments against Wu combined show malice.

Further Documentation and Exhibits Follow:

Kimsey puts on the following statement on Sammamish Central, a public Facebook group, that “Celia Wu needs to be fired”. It is “liked” by five persons, including a former City Council member (Jason Ritchie). *See Exhibit 2. (March 27, 2022)*



On May 18, 2022, the Sammamish Independent quotes Kimsey's calling for Wu's firing:

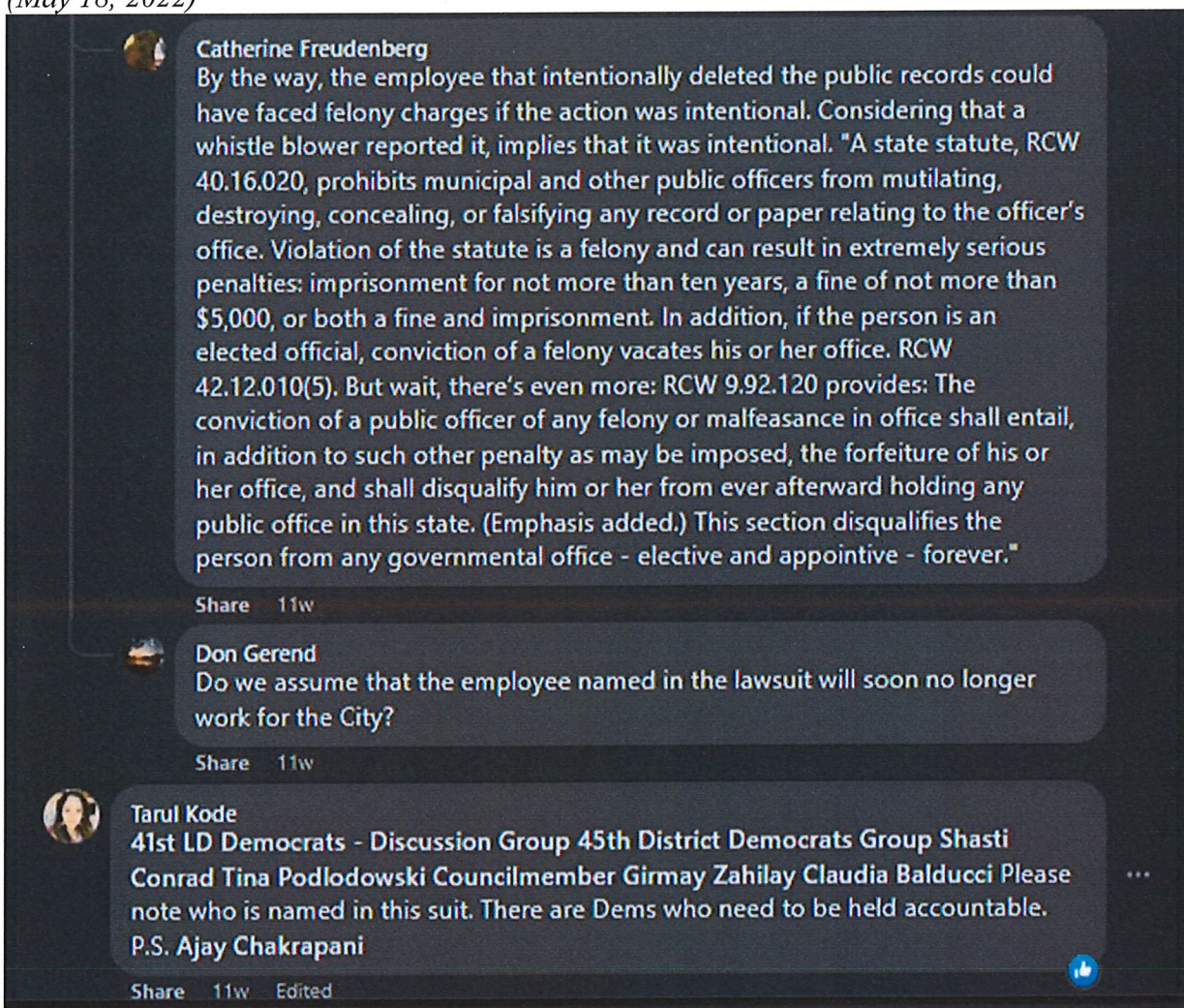
"In a March 27 Facebook comment thread, Kimsey called for city communications

manager Celia Wu to be fired, a sentiment that Amies also agreed with."

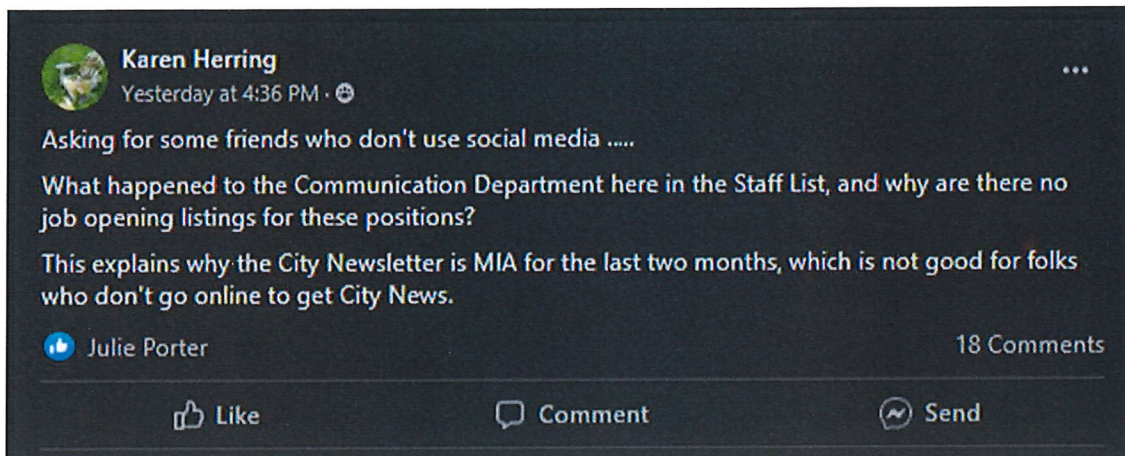
A former mayor, Don Gerend, posts on Facebook group two comments (that Wu is aware of) endangering Wu's employment.

The other two plaintiffs in the Kimsey lawsuit also disparage Wu "tagging" Democratic party senior leadership and King County councilmembers. ***Exhibit 3 and Exhibit 3-A.***

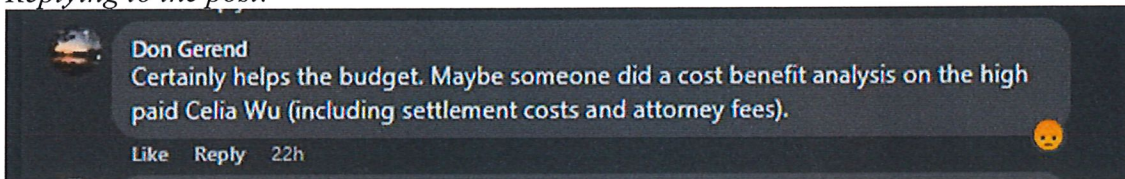
(May 18, 2022)



(August 1, 2022)



Replying to the post:

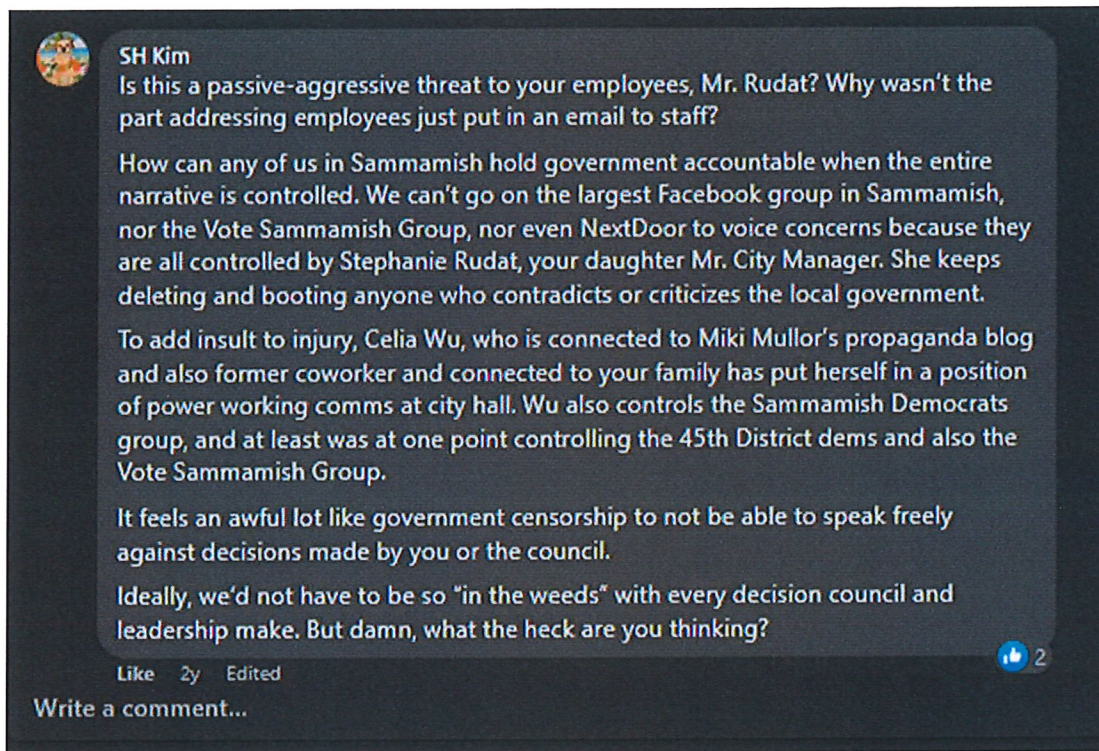


Harassment of minority female public servants

Kimsey has harassed and denigrated the experience of two highly qualified women of color who sought to serve their community in public service. Below are examples that Wu is aware of as Kimsey has “blocked” her from seeing any of her further postings. ***See Exhibit 4.***


June 18, 2020



Kimsey comments on the City of Sammamish’s Facebook page, “Celia Wu....has put herself in a position of power working comms at city hall....”





October 16, 2020


Kimsey denigrates Wu on the City of Sammamish's Facebook page, "The unconscionable damage the grossly incompetent Communications Manager at City Hall just did to confidence in our election system was reckless and irresponsible." *See Exhibit 5 and Exhibit 6.*

 **SH Kim**
Incredibly irresponsible of the city to repeat a rumor at this point. The "whole roadside and ditches thing" is a alt-right talking point used to undermine our mail-in voting system which is very secure. "Bags of ballots" versus "bags of mail that include ballots" are two very different things.

Like 2y Edited   17

 **Sue Allison**
Wow! The conspiracy theories are off the charts. This is not a case of voter tampering. This is a case of mail theft. How do I know, I found some ballots and just turned them into the Sammamish Police. A case of ditching the ballots alongside the road.... See more

Like 2y  5

 **SH Kim**
Sue Allison Simon The unconscionable damage the grossly incompetent Communications Manager at City Hall just did to confidence in our election system was reckless and irresponsible.

On the official City of Sammamish page they posted that "Sammamish PD have also been called to investigate bags of ballots discovered by roadsides and ditches."

When what PD had stated that "bags of mail including ballots" were discovered.


Two VERY different things.


If you do not receive your ballot by October 19th call King County Elections at 206-296-VOTE or go online to:
kingcounty.gov/elections/obmp.

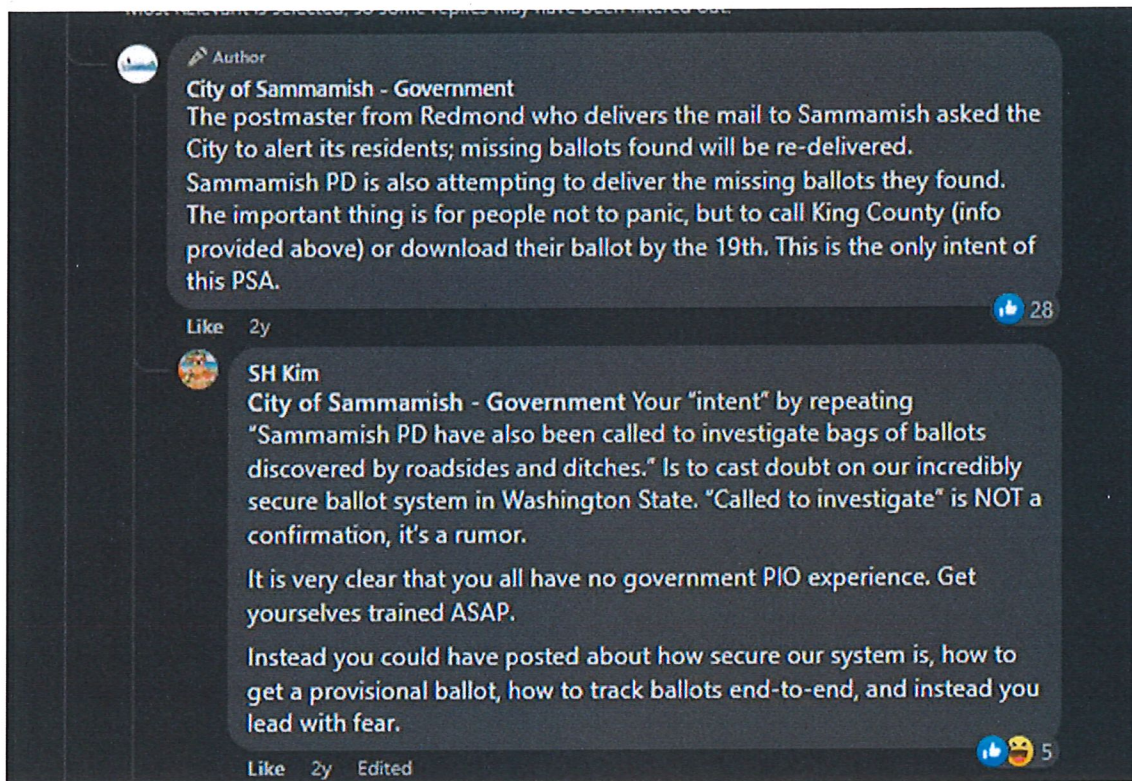
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"There is no evidence to support that this was politically motivated, or that ballots were specifically targeted. Sammamish is an area where we have frequent mail and package thefts," Sammamish police said.

<https://www.facebook.com/112779115408517/posts/3960891420597248/?extid=0&d=n>

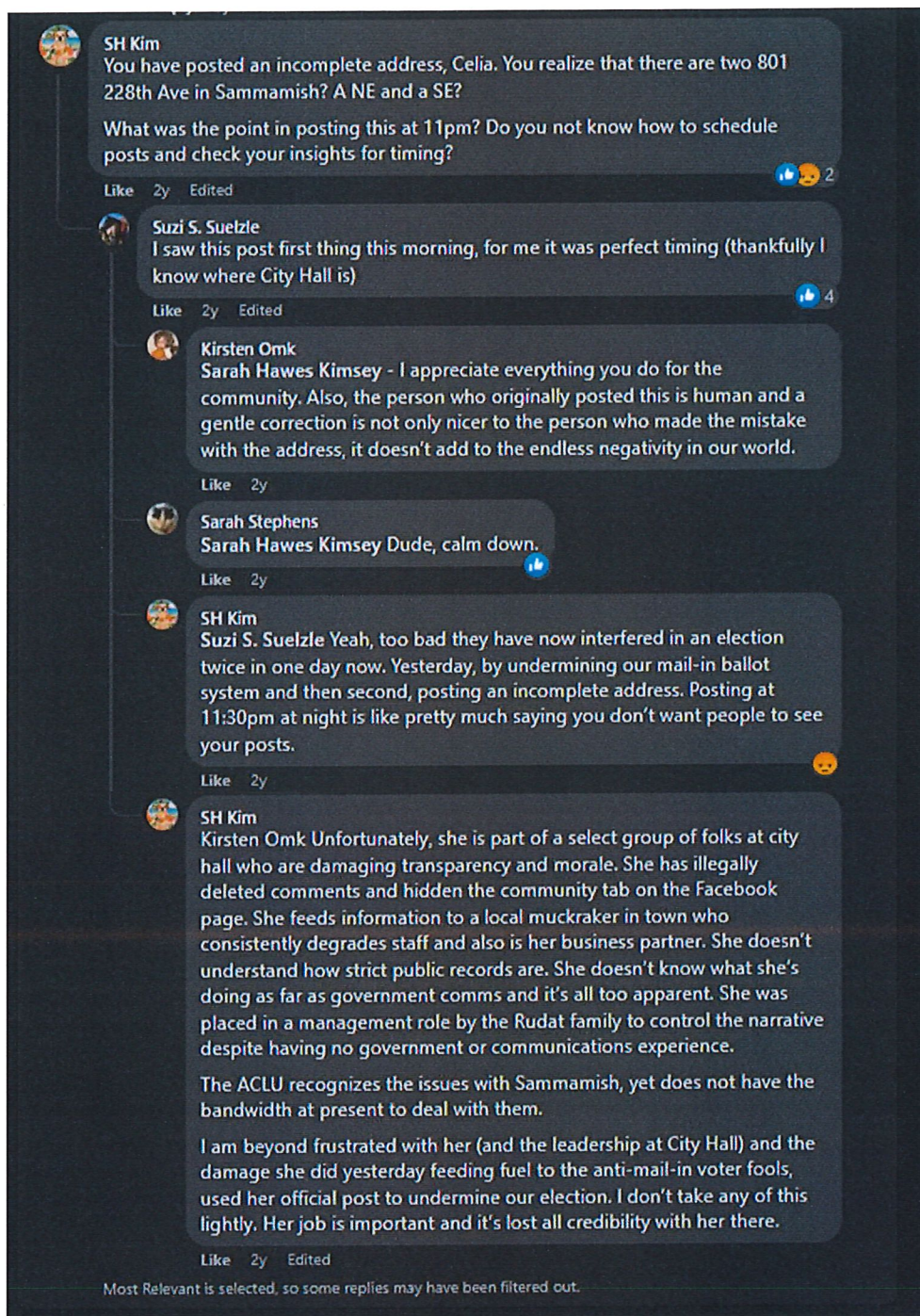
[SITES.OMNIBALLOT.U.](https://sites.omniballot.us) 
sites.omniballot.us

Like 2y 




October 16, 2020

*Kimsey continues with the attacks on the City of Sammamish's Facebook page, falsely accusing that Wu has "illegally deleted comments and hidden the community tab on the Facebook Page....She doesn't know what she's doing as far as government comms and it's all too apparent". She continues to falsely claim that I "have no government or communications experience....her job is important and it's lost all credibility with her there." **Exhibit 7.***



January 3, 2021

Kimsey denigrates Wu and Wu's professional role as Communications Manager, on the 45th District Democrat's Facebook page. *See Exhibit 8.*

**Sarah Hawes Kimsey**
January 3 at 11:50 AM · 🌐

...

Celia Wu should not be elected to a leadership position with the 45th district Democrats. I was shocked to hear that she was running for Vice Chair of the 45th District Democrats. In fact, it would be better to leave the position vacant than allow her to serve in this role.

Over the last year Celia has actively campaigned against 45th district Democrat endorsed candidates and has actively campaigned FOR republicans.






Along with Tom O'dell, she attempted to shuttle through a well-established Republican, Christie Malchow, for endorsement with the 45th district Democrats ignoring party endorsement protocols.

Further, in her role as admin for the 45th District Democrats and Sammamish Democrats Facebook pages she has refused and deleted posts regarding Sammamish Politics, Sammamish corruption, and discussion of the appointment of the Sammamish Chief of police as acting city manager during a time in which a Black Lives Matter protest had been planned. An event occurred over this time regarding the chief's behavior is currently under investigation by OLEO.

In her role as Communications Manager for the City of Sammamish, she has deleted the entire community post feed, removing dissent, and has removed comments critical of the City government. She has also discontinued posting the City Meetings on the live Facebook feed, one can assume because the way in which the city is being governed has been questioned. This is a first amendment violation, the ACLU is aware, but as I'm sure you can assume, they are quite busy at the moment.

In my opinion, it would be better to leave this position vacant than to allow this sham of a Democrat to be appointed to a leadership position which would permit her in depth access to proprietary data in which Democrats utilize to ensure success in elections. By doing so, I fear that this hands over sensitive information directly into the hands of all the Republicans Celia Wu has supported over the last couple years.

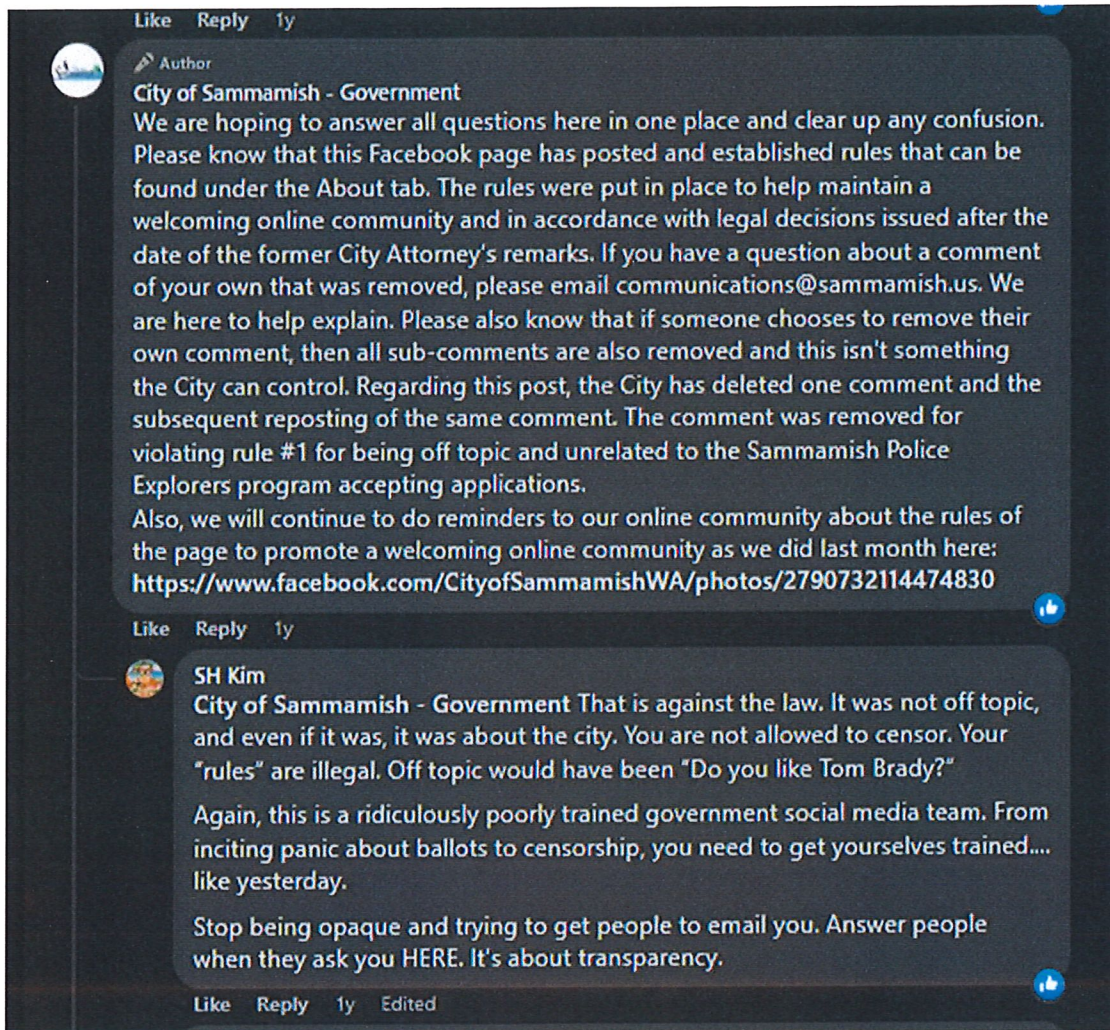
Vote no on Celia Wu. We can do better.

 17

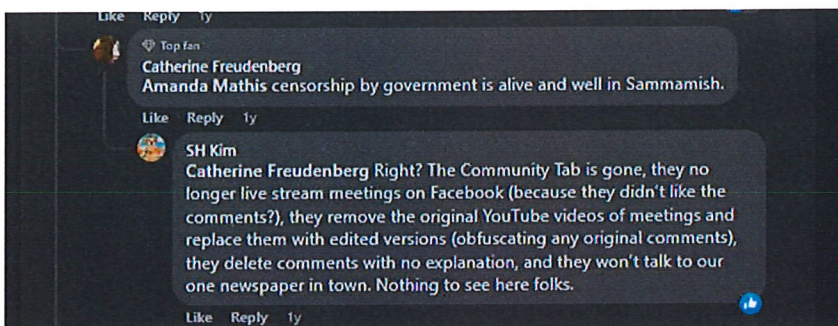
3 Shares

February 11, 2021

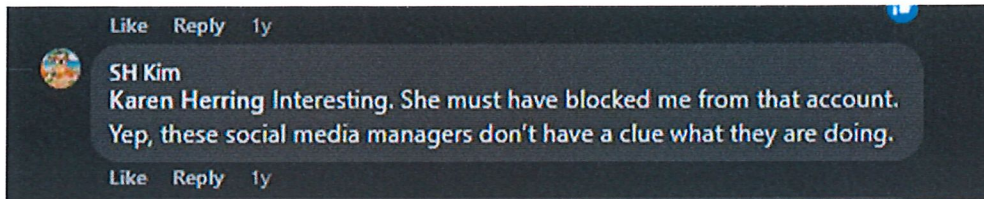
Kimsey on the City of Sammamish's Facebook page defames us and falsely accuses us of censorship: "a ridiculously poorly trained government social media team. From inciting panic about ballots to censorship, you need to get yourselves trained....like yesterday." *See Exhibit 9.*



In the same thread Kimsey again falsely accuses the communications team of deleting comments and removing videos: *See Exhibit 10.*

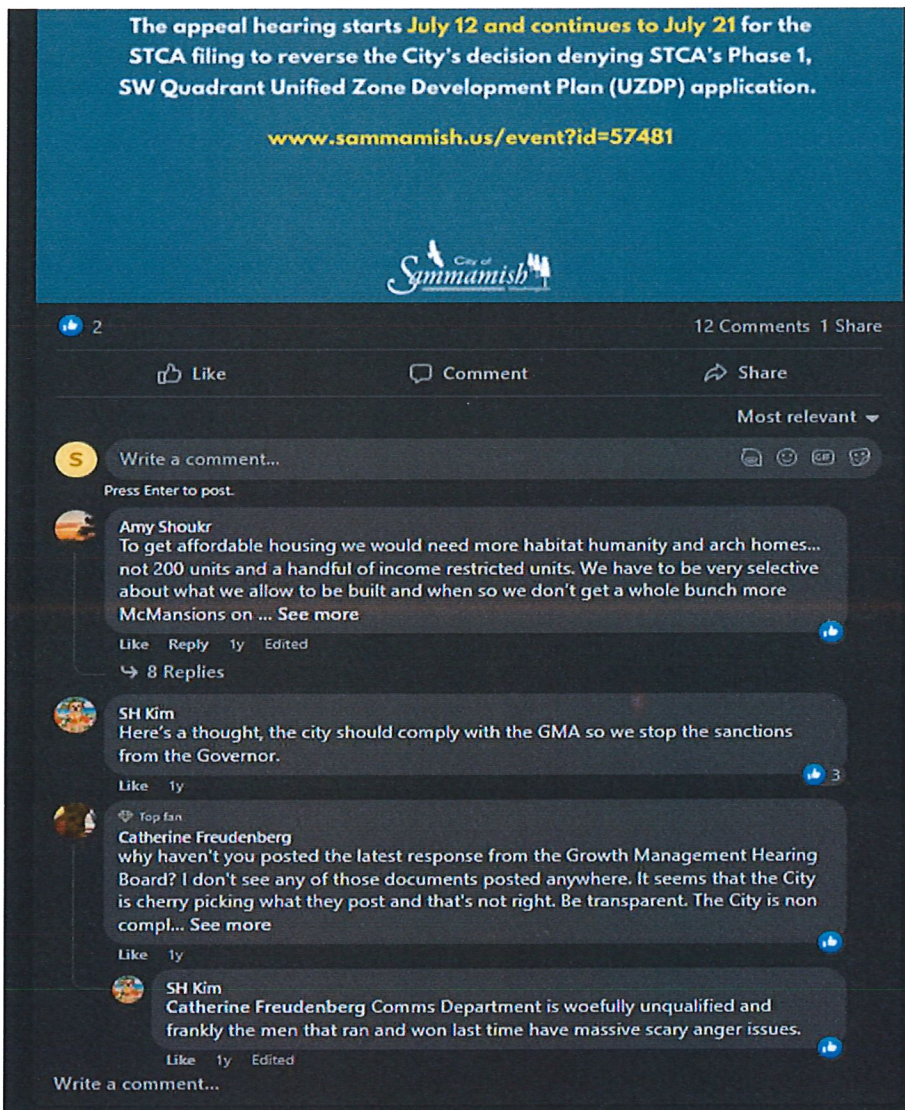


And in the same thread, Kimsey again defames Wu and the team as public servants: *Exhibit 11.*



July 9, 2021

Kimsey called us "woefully unqualified") on the City of Sammamish's Facebook page. *Exhibit 12.*



Kimsey's false accusations that I deleted comments resulted in a former City Council member and former Mayor, Tom Odell, implying the same to the investigation on

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former City Manager Rudat. The email that Odell wrote to the investigator was part of a public records request that was made public across Sammamish social media sites, which is how I found out: **Exhibit 13.**

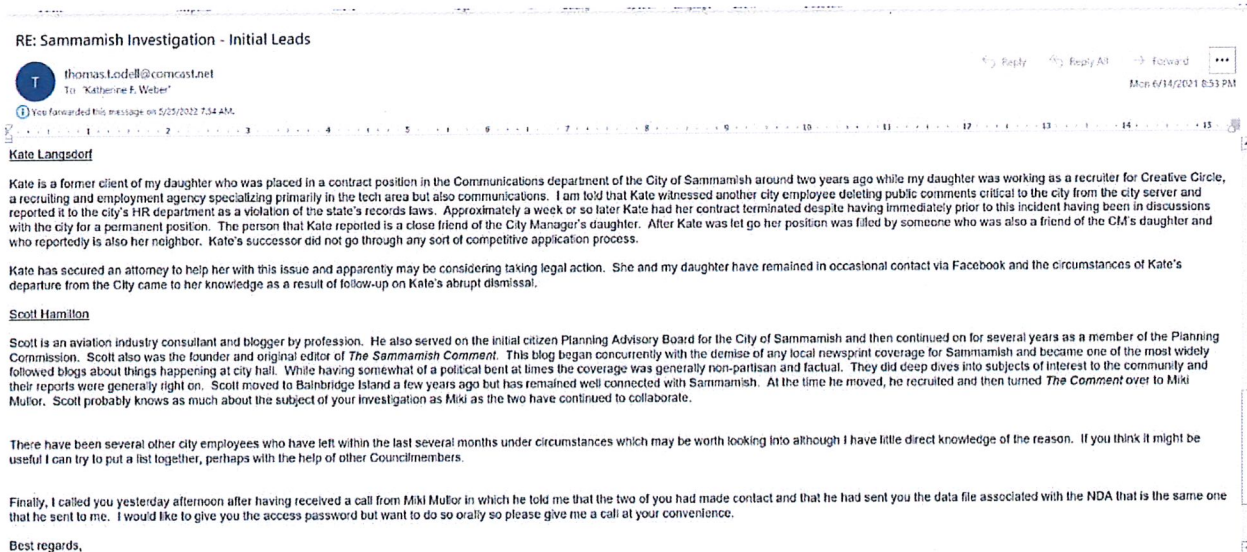
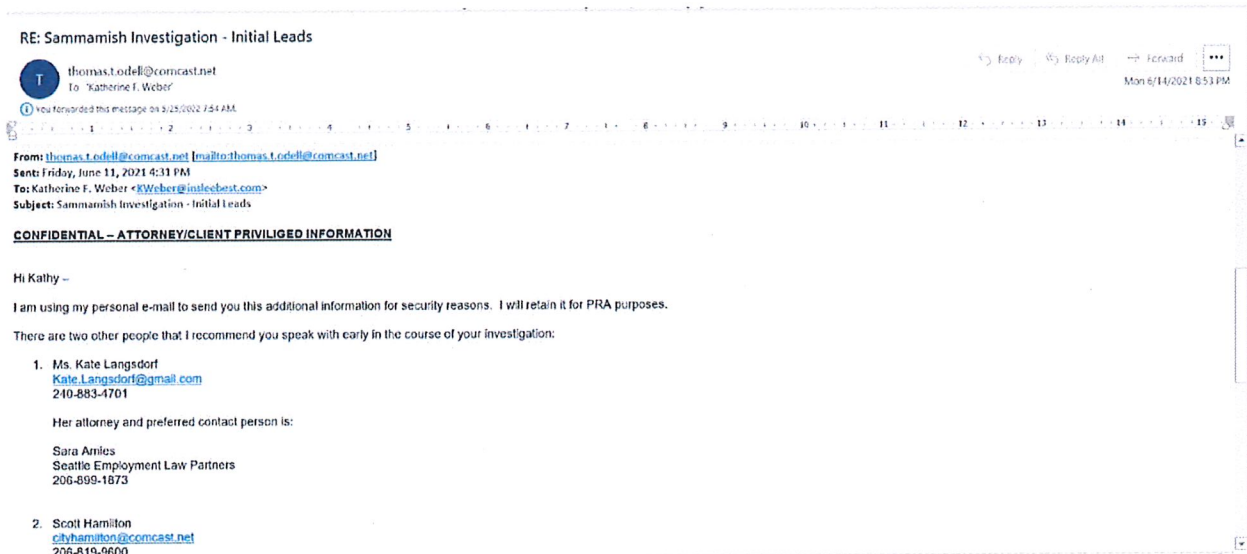
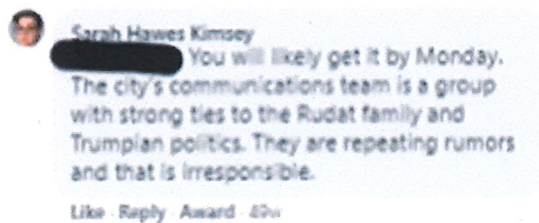
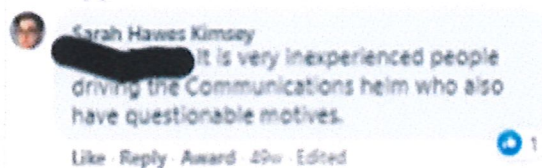


Exhibit 14.

Here are some more screenshots where Kimsey denigrates the Communications team as “very inexperienced” and “Trumpian.” I believe these were made on the 45th District Democrats Facebook page. **See Exhibit 15**



October 17, 2020 Kimsey buys advertising on Facebook to spread a post where she calls Celia Wu, "grossly incompetent" Exhibit 16:



I Love Sammamish

Yesterday at 5:27 PM · 🌐

...

The unconscionable damage the grossly incompetent Communications Manager at City Hall just did to confidence in our election system was reckless and irresponsible. Way to undermine democracy, folks.

On the official City of Sammamish page they posted today that "Sammamish PD have also been called to investigate bags of ballots discovered by roadsides and ditches."

When what Sammamish PD had stated on their official page that "bags of mail including ballots" were discovered.

Two VERY different things.

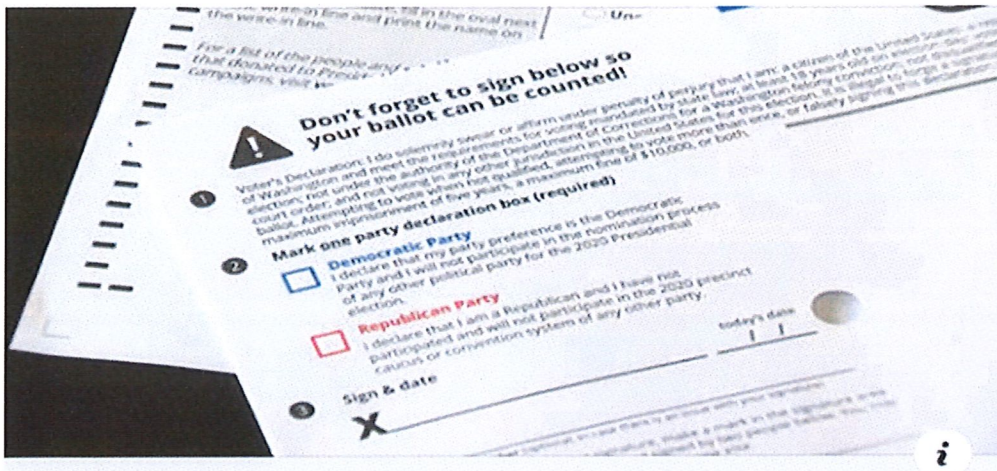
If you do not receive your ballot by October 19th call King County Elections at 206-296-VOTE or go online to:

kingcounty.gov/elections/obmp.

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"There is no evidence to support that this was politically motivated, or that ballots were specifically targeted. Sammamish is an area where we have frequent mail and package thefts," Sammamish police said.

<https://www.facebook.com/112779115408517/posts/3960891420597248/?extid=0&d=n>



We set forth above the oral and written statements and meanings attributed to you which you must immediately correct or be subject to the consequences of RCW 7.96.010 et. seq. for Failure to Correct Defamation.

To obtain the benefits of RCW 7.96 you must write a retraction and correction of each item, clearly and unambiguously retracting the false or defamatory content and

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meaning of each statement; and you must cause no further defamatory statements or meaning to be conveyed; and you must communicate each retraction to each recipient of each statement.

Further you must provide to the undersigned on behalf of Ms. Wu, copies of all retractions and corrections with evidence of delivery to each recipient within **30** days of receipt of this letter.

Sincerely,

A handwritten signature in blue ink that reads "Mary Ruth Mann". The signature is fluid and cursive, with a long horizontal stroke at the end.

Mary Ruth Mann
James Kytle
Enclosure: Exhibits As noted

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SARAH HAWES KIMSEY; TARUL KODE
TRIPATHI; and CATHERINE
FREUDENBERG,

Plaintiffs,

v.

CITY OF SAMMAMISH, a municipal
corporation; and CELIA WU, an individual,

Defendants.

CASE NO. 2:21-cv-01264 MJP

**DECLARATION OF ROBERT
SYDNOR**

I, Robert Sydnor, declare as follows:

1. I am the Chief Operating Officer at ArchiveSocial and make this declaration based on my personal knowledge.

2. ArchiveSocial is a cloud-based archiving and analytics company. We work with public sector customers to automatically capture and preserve comments and other data on a variety of social media websites. We work with the City of Sammamish to preserve the comments and posts on the City's official Facebook page.

3. ArchiveSocial uses a computer program to read the data from the City's Facebook page. The program preserves comments posted on the City's Facebook page immediately after they are posted. The program periodically attempts to access known comments to ascertain whether they have been hidden, edited, or deleted, applying an associated "tag" to the comment.

1 4. [REDACTED]

2 [REDACTED]

3 [REDACTED] A “deleted” tag does not necessarily mean that the comment was actually deleted. [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 5. [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 6. If a comment is deleted from Facebook, it is not possible for the program to

16 determine who was responsible for deleting the comment. Per Facebook’s Help Center, when a

17 comment is deleted on Facebook, it is also deleted from their servers and backup systems so that it

18 cannot be retrieved.

19 See https://www.facebook.com/help/121995105053180?helpref=search&query=recover%20deleted%20post&search_session_id=7be4b79314e2473855db7de29f5fbd88&sr=3.

20 [REDACTED]

21 7. I have reviewed our records of all of the comments posted by Sarah Kimsey on the

22 City of Sammamish’s Facebook page. Nearly all of these comments were tagged as “deleted” by

23 our program at approximately the same time. This fact suggests to me that Ms. Kimsey’s privacy

24 settings were changed, or her account was disabled at some time so as to make her comments

25 inaccessible to the public, resulting in the program tagging all of her prior comments on the City’s

26 Facebook page as “deleted.”

8. I have reviewed screenshots of the City's Facebook page and understand that, with few exceptions, all of Ms. Kimsey's comments remain accessible to the public. The time stamps on these comments as visible today matches the original date and time of posting as recorded by our program. This further suggests that Ms. Kimsey's comments were never actually deleted from Facebook, but that the "deleted" tags were applied for some other reason, as discussed above.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing statements are true and correct.

EXECUTED on October 27th, 2021, at Durham, North Carolina.

Robert Sydnor